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BEFORE THE ARIZONA CORPORATION COMMISSION

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2006 FEB 28 P 4: 35

AZ CORP COMMISSION
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IN THE MATTER OF THE PETITION)	Docket No. T-03632A-04-0425
OF DIECA COMMUNICATIONS, INC.,)	Docket No. T-01051B-04-0425
D/B/A COVAD COMMUNICATIONS)	
COMPANY, FOR ARBITRATION TO)	
RESOLVE ISSUES RELATING TO AN)	
INTER-CONNECTION AGREEMENT)	
WITH QWEST CORPORATION)	

COVAD'S RESPONSE TO QWEST'S MOTION TO MODIFY THE TIME FOR THE PARTIES TO SUBMIT A FINAL INTERCONNECTION AGREEMENT

DIECA Communications, Inc. d/b/a Covad Communications Company ("Covad") submits this response to Qwest's motion to modify the time for the parties to submit a final interconnection agreement:


In its motion, Qwest argues that the Commission should extend the time for the parties to submit a final interconnection agreement because it would be impractical to require the parties to submit two successive interconnection agreements for approval. Qwest contends that because further proceedings are contemplated regarding rates for section 271 elements that under the current status the parties would be required to file an interconnection agreement now and then file yet another one after the Commission sets rates for section 271 elements. This contention is not accurate. This Commission routinely approves new or modified rates for network elements in the state without requiring the subsequent filing of an amendment or a new interconnection

agreement. The new rates simply go into effect per the order of the Commission without further action by the parties to the agreement. Hence, if the parties submit for approval an interconnection agreement now pursuant to the Commission's most recent order in this docket, after the Commission sets rates for 271 elements, the parties will not be required to submit another agreement or any amendment thereto. Indeed, Qwest interconnection agreements often include a provision that contemplates adoption of updated rates as may be approved in the future by the Commission. So, there are no practical concerns associated with having to file an interconnection agreement now. Under the Commission's February 2, 2006 order, the parties must submit a conforming interconnection agreement by this Monday March 6, 2006.

For these reasons, Covad prays that Qwest's motion be denied.

RESPECTFULLY SUBMITTED this 25th day of February, 2006.

DIECA COMMUNICATIONS, INC.

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